

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

RURAL COMMUNITY WORKERS
ALLIANCE and JANE DOE,

Plaintiffs,

Civil Action No: 5:20-cv-6063-DGK

v.

SMITHFIELD FOODS, INC. and
SMITHFIELD FRESH MEAT CORP.,

Defendants.

DECLARATION OF TIMMY D. MESSMAN

Pursuant to 28 U.S.C. §1746, I, Timmy D. Messman, declare as follows:

1. My name is Tim Messman. I am over the age of eighteen, capable of making this Declaration, and personally acquainted with the facts herein stated. If called as a witness, I could and would competently testify to the matters stated in this Declaration.

2. I have worked for Smithfield Foods, Inc. or one of its subsidiaries since 1988. I am currently Plant Manager at the Smithfield Fresh Meats Corp. facility in Milan, Missouri (the “Milan Plant”) and have held this position since 2010. From 2008 to 2010, I was Assistant General Manager at the Milan Plant. I held various positions within the Company prior to that time.

A. Milan Plant Overview

3. Smithfield Fresh Meats Corp. is a wholly owned subsidiary of Smithfield Foods, Inc.¹

4. At Smithfield, the health and safety of employees and consumers is our top priority at all times. This is true at the Milan Plant specifically.

¹ Throughout this Declaration, Smithfield Foods, Inc. and Smithfield Fresh Meats Corp. are collectively referred to as “Smithfield.”

5. The Milan Plant has a dedicated Plant Safety Manager, who works closely with Smithfield's corporate occupational health and safety leaders to implement the Company's global health and safety priorities and initiatives at the Milan Plant. The Milan Plant Safety Manager leads a dedicated safety team made up of an assistant safety manager, medical professional, two nurses, a health and safety clerk, four safety trainers, and two interpreters.

6. The Milan Plant has received various awards related to its occupational health and safety programs, both within Smithfield and by outside organizations such as the North American Meat Institute ("NAMI"). NAMI most recently recognized the Milan Plant for its safety excellence in January 2020 with a 2019 Award of Merit. This is in follow up to the NAMI Award of Honor the Plant received in 2014 and 2015 and the NAMI Award of Merit received in 2017 and 2018.

7. The Plant is important to the overall Milan Community. We provide employment to 1187 employees with hourly compensation between approximately \$14.00 and \$25.00 (and higher in limited circumstances), opportunities to increase compensation through overtime, and benefits such as 401Ks and tuition assistance. We partner with leaders in the Milan community on projects such as the Sullivan County Fair, the Old-Timers Reunion (another local fair), the Multicultural Festival, and improvements at the local park. The Milan Plant also recently donated \$50,000 towards renovations to the Milan High School gymnasium.

B. The Milan Plant's COVID-19 Response

8. The Milan Plant is a meat processing facility. As such, it is part of the food and agriculture critical infrastructure sector, as defined by the U.S. Department of Homeland Security, and has continued its operations since the outset of the global COVID-19 pandemic. To maintain

the continuity of our processing functions and the nation's food supply, it is necessary for our employees to continue to come to work.

9. The Milan Plant has implemented occupational health and safety practices in response to the COVID-19 pandemic consistent with those communicated by the Centers for Disease Control and Prevention ("CDC"), the Occupational Safety and Health Administration ("OSHA"), and state/local public health officials.

10. These actions complement safety measures already in place at the Milan Plant and are in addition to the hygienic and sanitary environments maintained at all times in our industry for food safety and quality purposes, as verified by the USDA inspectors that are consistently present at the Plant.

11. Specifically, the Milan Plant has implemented the following policies and procedures, among others, in response to COVID-19²:

- a. The Milan Plant clearly, consistently, and frequently instructs its employees to self-monitor for symptoms of COVID-19, including fever, cough, and shortness of breath.
- b. The Milan Plant clearly, consistently, and frequently instructs its employees to stay at home if (1) they are experiencing symptoms of COVID-19, such as fever, cough, and shortness of breath, (2) they have exposure to someone who has been diagnosed with COVID-19, and/or (3) they have visited an area with widespread community spread of COVID-19.

² The Milan Plant's "COVID-19 Playbook" is attached hereto as **Exhibit 1**. The Milan Plant's "COVID-19 Risk Assessment" is attached hereto as **Exhibit 2**.

- c. The Plant has communicated to employees steps to protect themselves and others from the spread of germs through covering coughs and sneezes, with a tissue or use of the inside of the elbow, and throwing used tissues in the trash.
- d. These instructions and other employee communications are provided by several media, including on televisions located throughout the Plant, on signage posted throughout the Plant, through the Beekeeper employee communications app, and through the Textcaster mass text messaging tool. COVID-19 related signage in the Plant is provided in English, Spanish, and French (exemplar photos attached hereto as **Exhibit 3**). Communications through Beekeeper and Textcaster are available in the language of each individual employee's choice. Interpreters are also available at the Plant to assist in COVID-19 communications.
- e. Every person that enters the Milan Plant undergoes thermal screening through use of an infrared thermometer and a thermal camera. If an employee is suspected to have an elevated temperature during primary screening, the employee is directed to a testing location in a separate building for secondary screening. If the secondary screening confirms that the employee's temperature exceeds 100.4 degrees, the individual is (1) given a Questionnaire that elicits, among other information, the names of all employees with whom the subject employee has had close contact with in the two days prior to the start of symptoms, (2) provided with instructions for next steps, including directions to quarantine and call their physician for guidance on the appropriate location for COVID-19 testing and procedure, and (3) sent home

for 14 days of paid leave or until the individual receives a negative COVID-19 test result.³

- f. To decrease crowding as employees approach and move through the thermal screening areas, visual markers are provided every six feet. Management personnel also monitor the thermal screening area to ensure compliance with this social distancing effort.
- g. Every individual that enters the Milan Plant—including the personnel of essential service providers—is required to wear facial personal protective equipment (“PPE”). The Plant provides employees with an ear-looped face mask upon entry to the Plant each day. Masks are required to be worn at all times, except when employees are eating and in certain office areas where employees are spaced more than six feet apart. Additionally, employees on the production floor are required to wear nitrile gloves and a plastic face shield.
- h. If an employee’s face mask breaks or becomes soiled during the workday, the Plant provides a new mask.
- i. The Milan Plant has installed plastic barriers along the Plant production line that separate both (1) employees working across from each other, and (2) employees working side by side. Every employee at the Plant performs their assigned job duties with either six feet of separation from their nearest co-worker(s) or a plastic barrier separating them from their nearest co-worker(s).
- j. The Milan Plant has staggered workday start times to facilitate social distancing upon entry and exit.

³ Smithfield’s Policy for employee screening, as well as the referenced Questionnaire, are attached hereto as Exhibit 4.

- k. The Milan Plant has staggered lunch and break times to facilitate social distancing in the Plant cafeteria and other common areas.
- l. The Milan Plant has reduced the number of hogs harvested each day, such that the employees on the Kill Floor are working only a half-day and are released before lunch. This effort further helps to minimize crowding in the cafeteria and other eating areas.
- m. The Milan Plant has installed plastic barriers on cafeteria tables that divide both (1) employees sitting across from each other, and (2) employees sitting next to each other. Exemplar photos are attached hereto as **Exhibit 5**. Tables are also sanitized after one employee leaves and before another one sits down.
- n. The Milan Plant has erected a 30 ft. x 30 ft. tent and three carport structures on the Plant lawn, and placed eating tables and chairs underneath each, for the purpose of expanding available common areas and facilitating social distancing during breaks. Each table is equipped with plastic barriers that divide both (1) employees sitting across from each other, and (2) employees sitting next to each other. Exemplar photos are attached hereto as **Exhibit 6**. An additional 30 ft. x 20 ft. tent will be erected during the week of April 27, 2020 to serve the same purpose.
- o. The Milan Plant has assigned a nurse and the health and safety clerk to perform checks in work areas and common areas (including hallways, the cafeteria, and locker rooms) to ensure that employees wear their face masks and to remind them to maintain social distance in common areas.
- p. The Milan Plant has expanded the available time clocks that can be used for employees punching in and out for the workday to minimize hallway congestion.

- q. Due to the nature of our business, employees in food production areas are required to wear, independent of COVID-19, nitrile gloves to prevent the spread of germs. Similarly, all employees wash and sanitize their hands multiple times daily as part of our pre-existing required work practices. However, the Milan Plant has reiterated and emphasized the importance of these steps in our COVID-19 communications. Further, designated Plant personnel are administering hand sanitizer to employees on the production line every 30 minutes throughout the workday.
- r. The Milan Plant has added approximately 110 hand sanitizing stations throughout the facility, including but not limited to, at all Plant entrances and exits (exemplar photos attached hereto as **Exhibit 7**), at the cafeteria entrance and exit, at locker room entrances and exits, and throughout hallways.
- s. The Milan Plant has invited employees to bring personal hand sanitizer bottles into the Plant to be refilled, without charge, using the Company supply.
- t. The Milan Plant production facility undergoes regular cleaning and sanitation by our in-house sanitation crew pursuant to industry standards for food safety and quality purposes.
- u. In response to COVID-19, the Milan Plant has enhanced cleaning and disinfection protocols of frequently touched surfaces in welfare and common areas using cleaning solutions identified by CDC for this purpose. This cleaning is performed throughout the workday—in some areas, as frequently as every two hours—by personnel specifically assigned to carry out this task. We have also implemented additional deep cleanings over the weekends.

- v. Non-essential visitors to the Plant are prohibited.⁴
- w. Non-essential events and meetings with more than ten people are avoided to the maximum extent possible. If such meetings are absolutely necessary, social distancing procedures are closely followed.
- x. The Milan Plant has encouraged employees to avoid carpooling to and from work to the extent possible.
- y. The Milan Plant closed its small on-site gym, which is typically available to all employees.

12. The Milan Plant is working to secure a wireless means for employees to clock in and out at the beginning and end of the workday.

13. The Milan Plant plans to implement use of fogging/misting disinfectants in the facility where possible.

14. The Milan Plant expects to receive a shipment of small hand sanitizer bottles in the near future that will be made available to each individual employee for personal use.

15. No employee is penalized in any way for missing work as a result of a COVID-19-related quarantine. No employee receives attendance points for missing work as a result of a COVID-19 related quarantine. Employees staying home for this purpose receive paid leave and remain eligible for Smithfield's Responsibility Bonus, regardless of whether they provide a doctor's or nurse's note. The Plant clearly, consistently, and frequently communicates each of these points to employees. Additionally, employee benefits have been expanded as a result of COVID-19, including eliminating co-pays for COVID-19 related testing and treatment.

⁴ Smithfield's COVID-19 Visitor Restriction Policy is attached hereto as **Exhibit 8**.

16. To the extent employees disclose to the Plant certain underlying health conditions that their physician believes places them at higher risk for COVID-19 and provide documentation of the same, those employees are given 14 days of paid leave, and following the conclusion of that time period, are shifted to short term disability leave.

17. Any employee undergoing a COVID-19 related quarantine as a result of COVID-19-related symptoms is asked to complete a Questionnaire that, among other topics, requests the names of all employees with whom the subject employee has had close contact with in the two days prior to the start of symptoms. To the extent the sick employee were to test positive for COVID-19, the close-contact employees would be notified and screened for possible quarantine.

18. As of the date of this Declaration, and to the best of my knowledge, information, and belief, thirteen Milan Plant employees have undergone COVID-19 testing. No cases have been confirmed. Personnel in the Milan Plant's Human Resources Department have coordinated with each of the tested personnel to facilitate contact tracing according to Smithfield's global policy for doing so.

C. Responses to Certain Assertions of Plaintiff Jane Doe and Mr. Axel Fuentes

19. I understand that Plaintiff Jane Doe and Mr. Fuentes assert that the Milan Plant has increased line speed during COVID-19. Doe Decl. ¶ 7; Fuentes Decl. ¶ 17. That is not accurate. The Milan Plant has not increased the speed of its production line during the COVID-19 pandemic.

20. I understand that Plaintiff Jane Doe and Mr. Fuentes assert that the Plant has lengthened shift times during the COVID-19 pandemic. Doe Decl. ¶ 9; Fuentes Decl. ¶ 19. It is true that there have been times in recent months when employees have had to work longer shifts than usual. This is entirely unrelated to COVID-19 and is instead the result of a process change at the Plant that was initiated prior to the COVID-19 pandemic. As we continue to implement this

process change, our workday takes longer than usual. However, it is important that we take the time to implement the new process safely and correctly. Employees are compensated with overtime pay for the hours added to their normal shift, and depending on the total amount of time added, additional break time is provided.

21. I understand that Plaintiff Jane Doe and Mr. Fuentes asserts that the Plant's break times are insufficient to allow employees to thoroughly wash their hands. Doe Decl. ¶¶ 9, 10; Fuentes Decl. ¶¶ 18, 19. Standard operating procedures for our facility require that any time an employee leaves the production line for a break, they must remove their gloves and sanitize their hands before entering the common areas. Before employees return to the production line, they are required to sanitize their hands again, and put on a new pair of gloves. During COVID-19, we have expanded hand sanitizing efforts to include designated personnel administering hand sanitizer to production line employees every 30 minutes. Additionally, while on breaks, employees have access to locker room and restroom sinks for further hand washing.⁵ As a meat processing facility, with USDA inspectors consistently present, the Plant has an obligation—Independent of COVID-19—to ensure that employee handwashing and sanitizing is performed properly in order to prevent issues of food safety or quality. Our standard operating procedures for handwashing and sanitizing are audited every year as part of the Safe Quality Food (“SQF”) program. If the allowed time for breaks was not sufficient to achieve this purpose, the Plant would not maintain its SQF certification or be allowed to continue operating.

22. I understand that Plaintiff Jane Doe and Mr. Fuentes acknowledge that the Plant has been administering hand sanitizer to employees on the production line but faults the Plant for spraying only gloves, not hands. Doe Decl. ¶ 11; Fuentes Decl. ¶ 18. Given that employees on

⁵ To the extent employees request bathroom breaks between the Plant's regularly scheduled breaks, the Plant accommodates those requests as much as possible.

the line sanitize their hands prior to putting on gloves, and then continue wearing gloves while on the line, it is unnecessary to offer to spray employees' sanitized hands, as compared to the gloves that cover their hands.

23. I understand that Plaintiff Jane Doe faults the Plant for not providing tissues when employees sneeze or cough. Doe Decl. ¶ 12; Fuentes Decl. ¶ 18. As a preliminary matter, the Milan Plant does not and cannot make tissues, or similar foreign materials, available in the production area of the facility. This practice would be an obvious violation of USDA standards for our industry. However, all employees on the line wear masks and fluid-resistant face shields, thus preventing the spread of germs from a sneeze or cough. Further, the line speed does not prevent an employee from taking a moment to cough or sneeze, and the Plant does not punish employees for doing so.

24. I understand that Mr. Fuentes asserts that the plastic barriers the Plant has installed on the production line do not account for varying worker heights, and thus, the barriers do not block some workers' faces. Fuentes Decl. ¶ 16. Plant Management is not aware of any employee complaints about the placement of these barriers and has not observed any issues with the placement. If an issue of barrier placement was presented to us, we would promptly remedy the situation.

D. Conclusion

25. The management team at the Milan Plant has undertaken extensive and ongoing efforts to stay apprised of and ensure compliance with all CDC and OSHA COVID-19 response guidelines. We are putting forth best efforts to proactively develop thoughtful and creative solutions to protect our employees in ways that are tailored to our facility and the realities of meat processing operations.

26. On April 22, 2020, the Milan Plant received a request from OSHA for information related to a Complaint investigation seeking comprehensive information regarding COVID-19 work practices and infection at the Plant. Our response to OSHA's request is due by Wednesday April 29, 2020. We are preparing our response and intend to cooperate fully with OSHA.

27. Exhibits 1-8 are true, correct, and complete copies of documents that were generated, received by, or otherwise in the custody or control of Smithfield employees in the regular course of business. Exhibits 1-8 are kept in the ordinary course of the regularly conducted business of Smithfield. Exhibits 1-8 were created at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person having knowledge of those matters. The photos in Exhibits 3 and 5-7 were taken on April 24, 2020 and accurately and fairly depict areas of the Plant as they appeared the day the photos were taken.

I hereby declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on April 28, 2020 at Milan, Missouri.

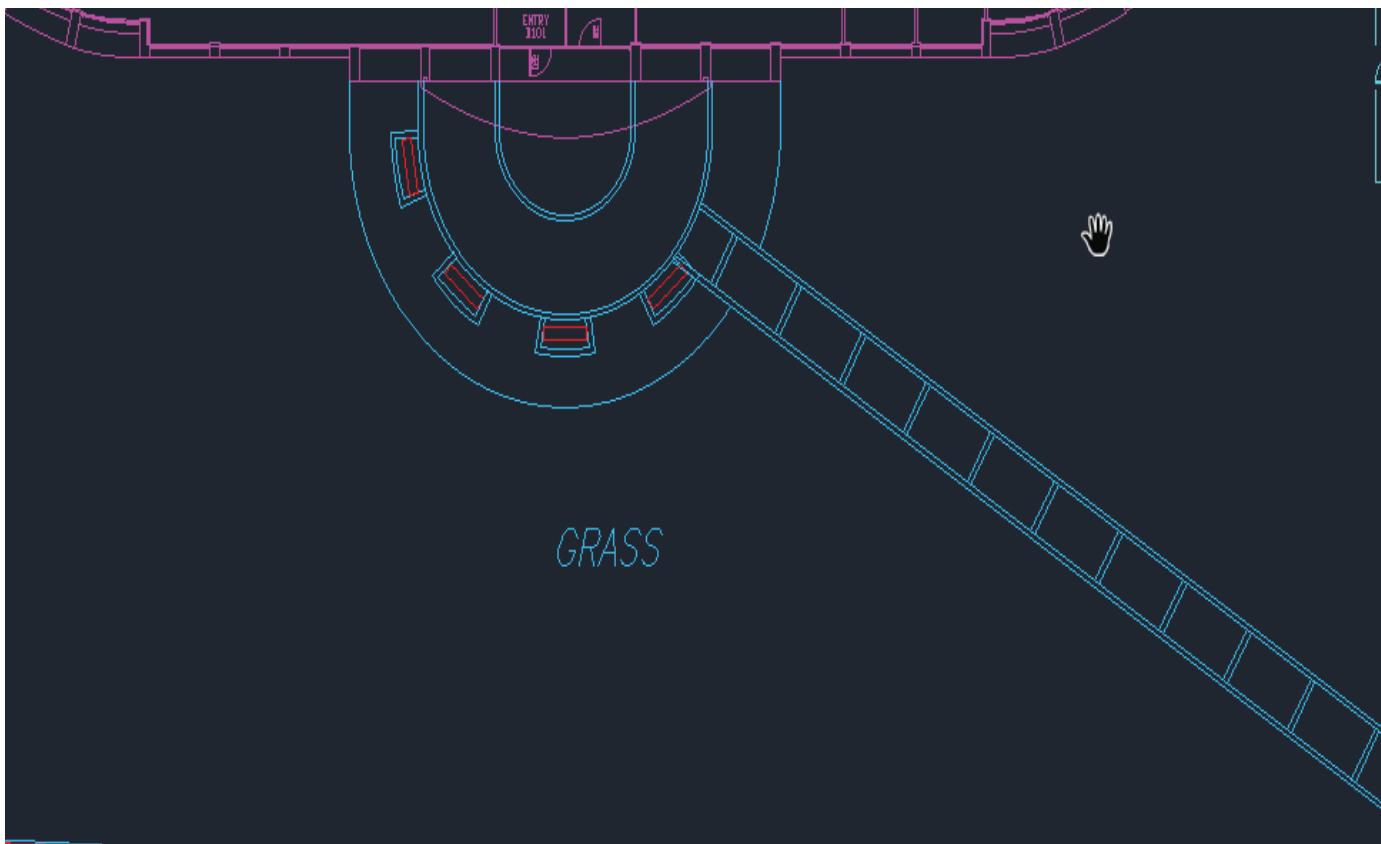


Timmy D. Messman

Exhibit 1



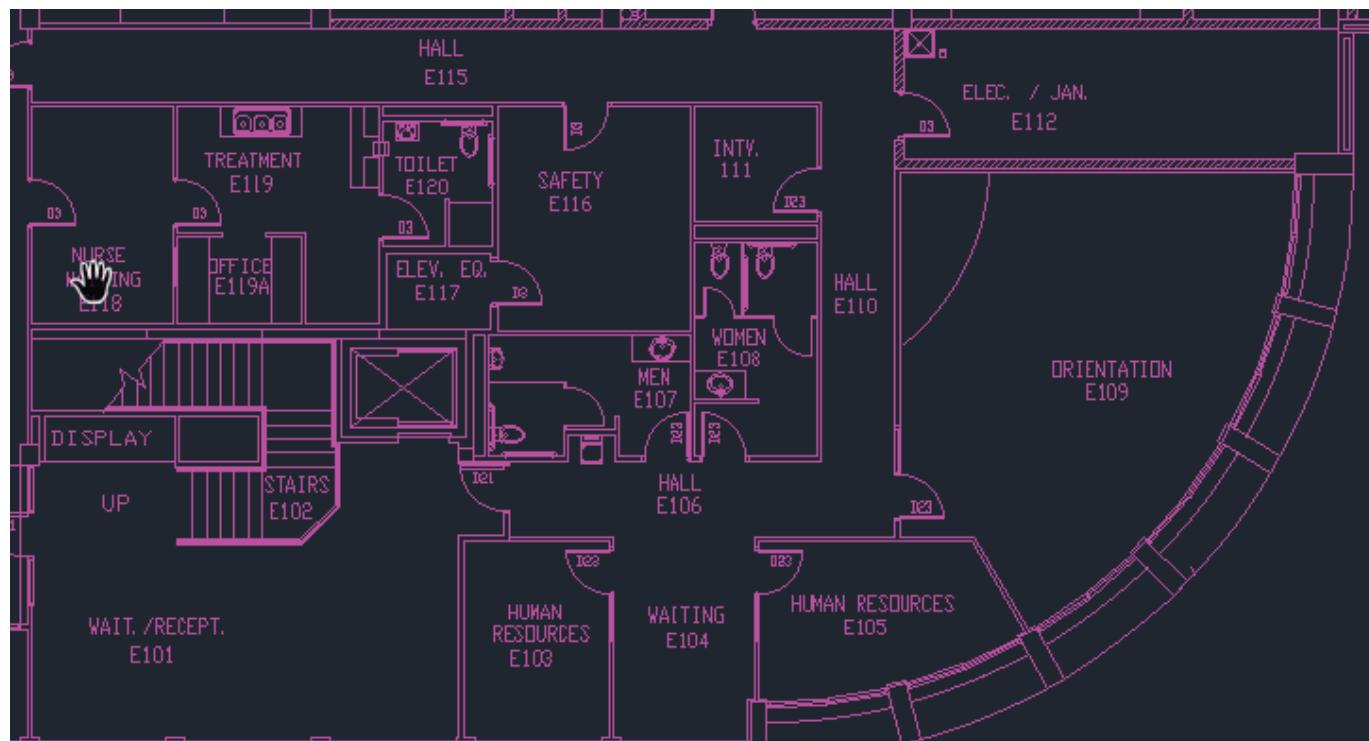
Milan – Building Main Entrance



Current Protocol and Measures Taken:

- Sanitizer stations at turnstile entrance/exit and along pathway to main entrance
- Personal hand sanitizer bottles will be given out to each employee.
- Employees can bring 12 oz hand sanitizer bottle into the facility and the plant will re-fill the bottles at no charge.
- Temperature checks for every person entering building – currently using temporary workers to do this
- Mask handed out to each person entering the building – currently using temporary workers to do this
- One tent and three carports setup outside with tables and chairs (spaced with plastic dividers) for breaks
- Automatic thermal camera (Cohu Costar) –streamline temp check process getting employees through front door

Milan – Admin and HR Office Area



Current Protocol and Measures Taken:

- Sanitizing all high-contact surfaces in offices, bathrooms, and common areas – this is done by 2 hourly employees (constant rounds, usually hitting each surface every 2 hours)
- Sanitizer jugs located in common area
- No large meetings held in offices
- Masks worn if <6ft of contact is necessary

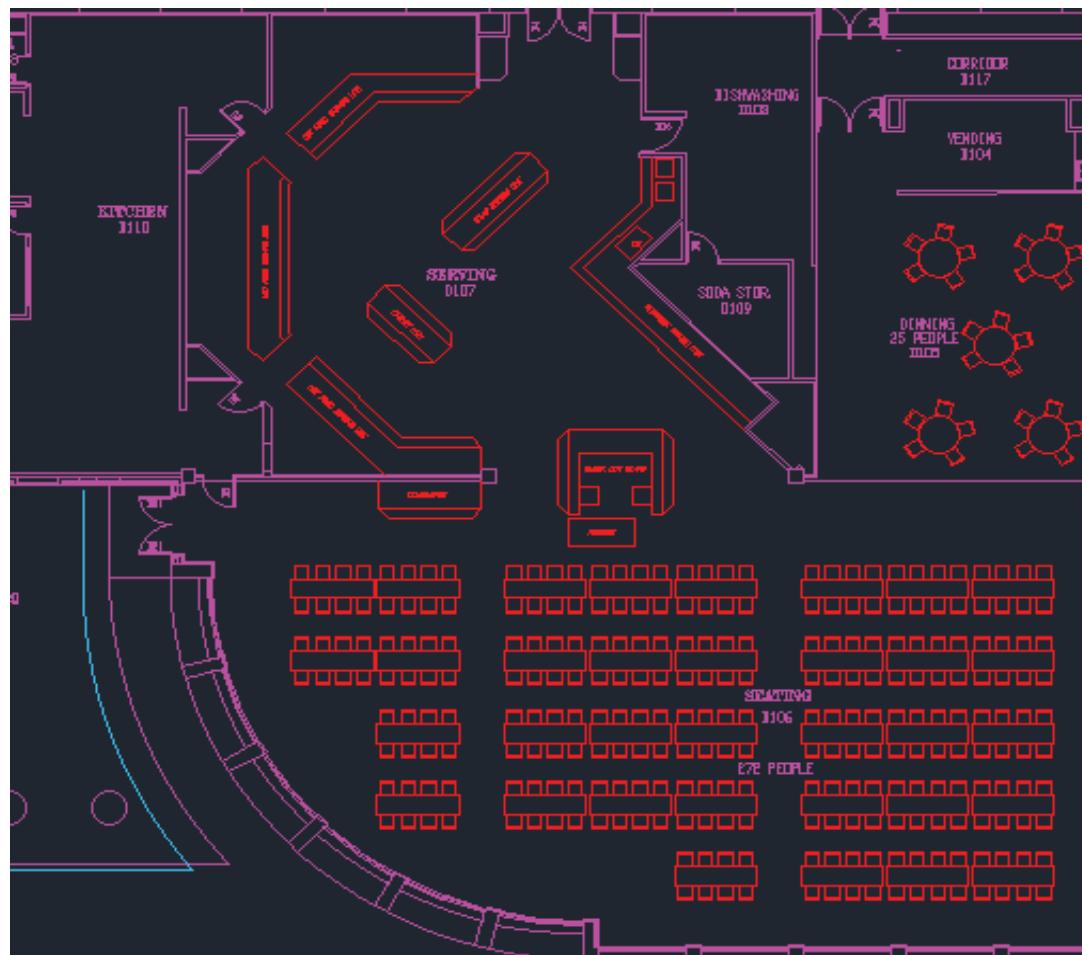
Upcoming:

- Fogging/Misting: Will begin using PURE chemical in this area (only requires 15 min after misting before ppl can return to area)



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Milan – Cafeteria Area



Current Protocol and Measures Taken:

- Sanitizer jugs at all entrance and exits
- Employee making rounds sanitizing contact surfaces
- Tables have been spread apart – plastic dividers between center of each table and between each seat
- All condiment type items are now single-use to prevent multiple people from touching the same item
- Fountain drinks not allowed (don't want hands touching same buttons)
- Outside seating to allow >6' even at peak break times (mentioned earlier)
- Laminated flyers posted on plastic dividers giving COVID-19 basic health tips and Smithfield current protocols

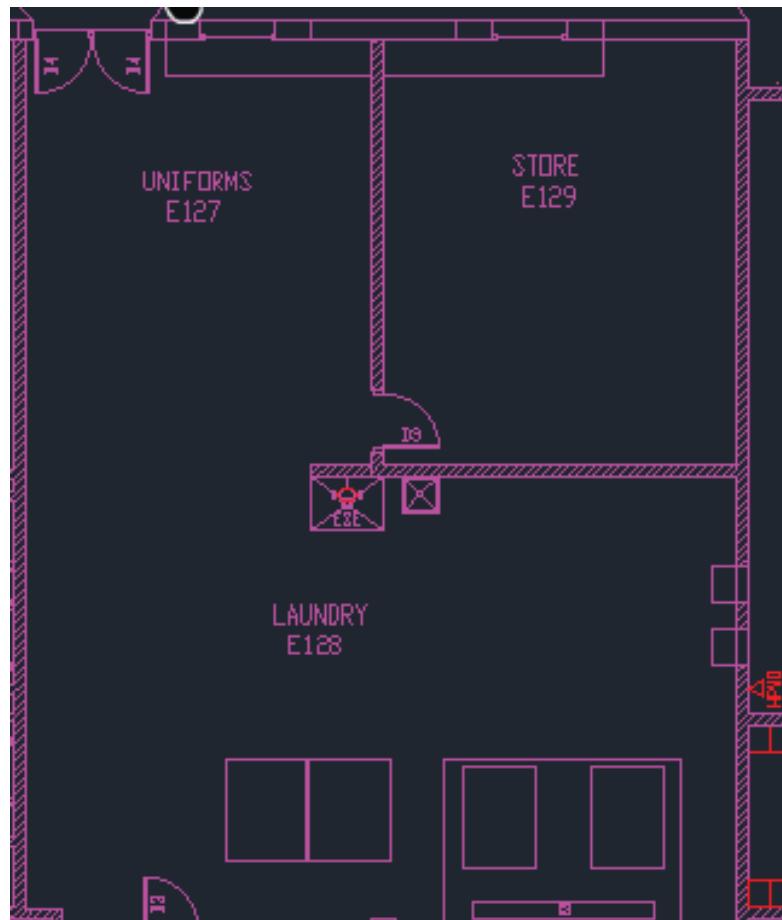
Upcoming:

- Fogging/Misting: Will begin using PURE chemical in this area (only requires 15 min after misting before ppl can return to area)



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Milan – Knife and Laundry Room

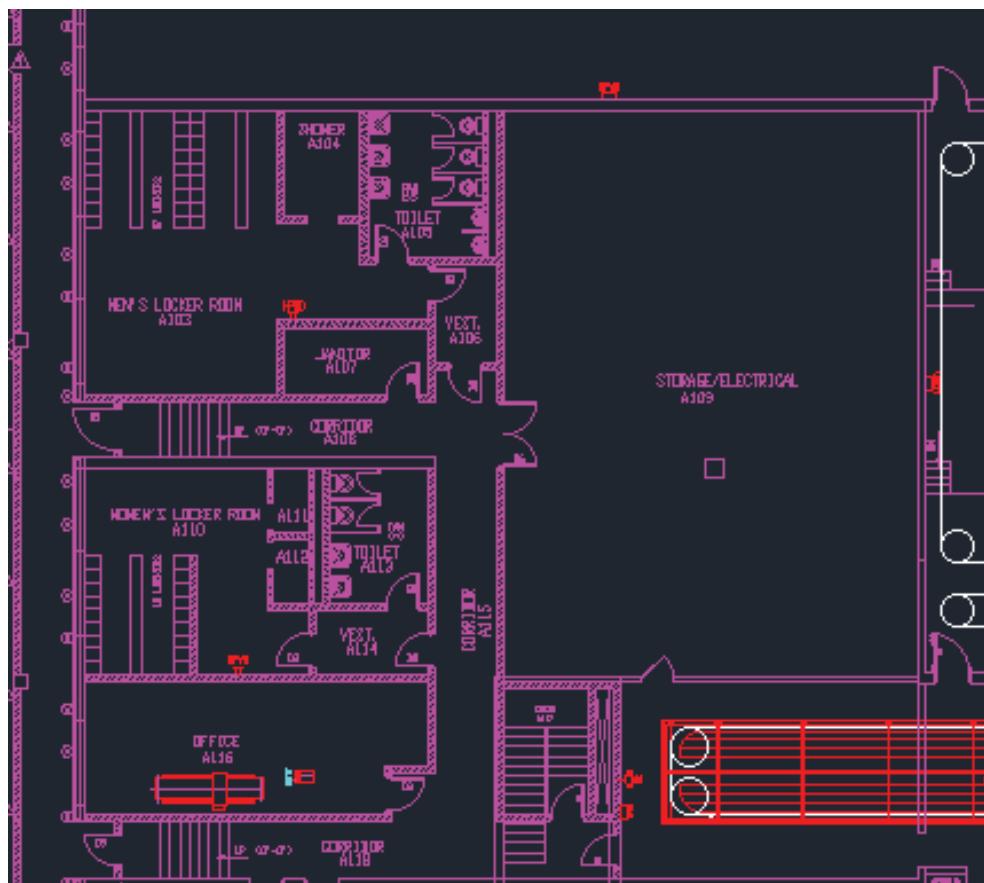


Current Protocol and Measures Taken:

- Sanitizer jugs at all entrance and exits
- Clear shields setup at windows where employees pickup supplies
- **Upcoming:**
- TBD



Milan – Kill Floor General (Non-Production)



Current Protocol and Measures Taken:

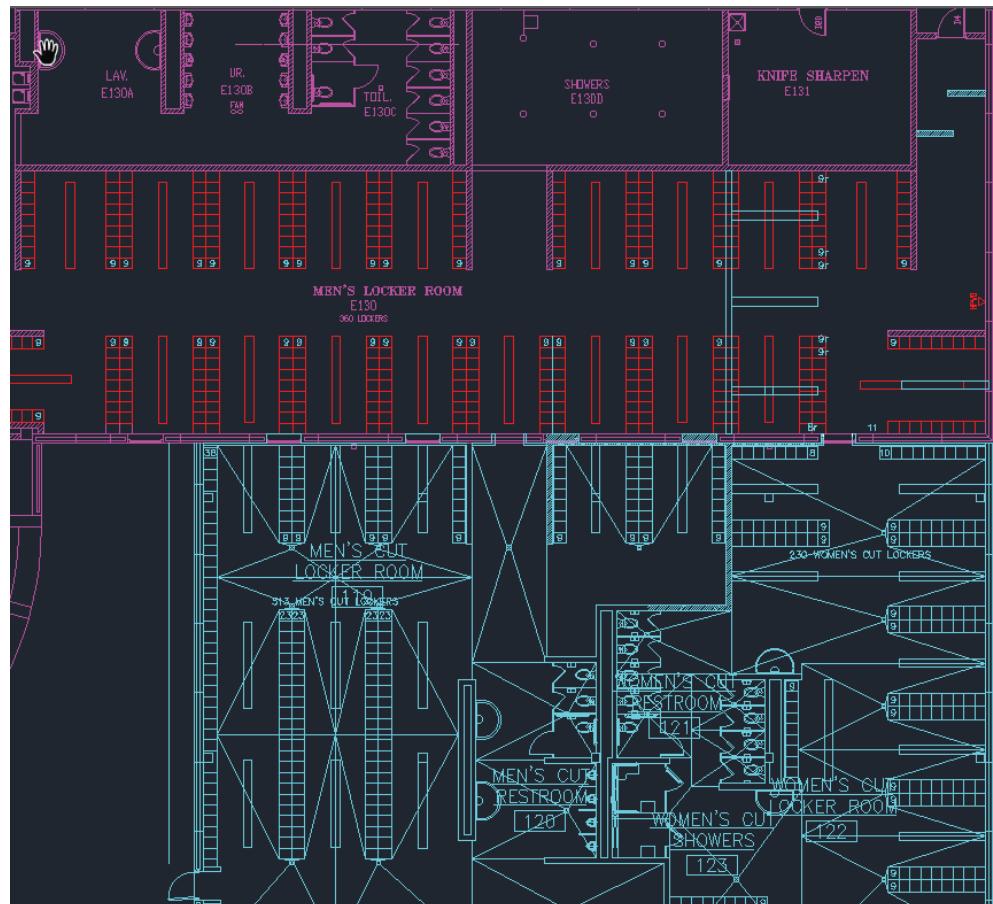
- Sanitizer jugs at all entrance and exits to floor along with jugs at key entry points to lines and workstations
- Employee making rounds with sanitizer jug to spray employee hands (every 2 hours)
- Employee sanitizing high contact surfaces and locker room (2 hours)
- One hour late start time this week – subject to change (helps prevent morning and 1st break congestion)

Upcoming:

- Fogging/Misting: Will begin using PURE chemical in locker rooms (only requires 15 min after misting before ppl can return to area)



Milan – Cut Floor General (Non-Production)



Current Protocol and Measures Taken:

- Sanitizer jugs at all entrance and exits to floor along with jugs at key entry points to lines and workstations
- Employee making rounds with sanitizer jug to spray employee hands (every 2 hours)
- Employee sanitizing high contact surfaces such as doors to cut, shipping, etc and locker room (2 hours)
- Pushing distancing when picking up laundry bags and clocking in during the morning – the extra time taken is absorbed into gang time rather than allowing early clock in (usually not much extra time)

Upcoming:

- Fogging/Misting: Will begin using PURE chemical in locker rooms (only requires 15 min after misting before ppl can return to area)



Milan – Maintenance Shop

Current Protocol and Measures Taken:

- Sanitizer jugs at all entrance and exits
- Employee making rounds sanitizing contact surfaces
- Mandatory masks and faceshields

Upcoming:

- Fogging/Misting: Will begin using PURE chemical in this area (only requires 15 min after misting before ppl can return to area)





Milan – General Notes

- Majority of sanitizer being used to clean contact surfaces is just standard 70% alcohol based

Exhibit 2

Hazard ID and Risk Assessment

Scope/Area:
General

HIRA # 1

Review Date: 4/13/2020

Hazard(s) – Chemical, Health, Electrical, Ergonomic, Physical	Hazard Category (See 2.5)	Contributing factors, processes, tasks. (Why does the hazard exist?)	Controls – What is done to prevent exposure to this hazard?	Severity A B C D	Likelihood 1 2 3 4 5	Risk Assessment Severity	Monitoring of Controls - All A & B Severity Hazards shall have regular monitoring for effectiveness
COVID-19	Non routine	<p>*Cases of COVID-19 have been reported in Missouri</p> <p>*People in places where ongoing community spread of the virus that causes COVID-19 has been reported are at elevated risk of exposure, with the level of their risk depending on their location.</p> <p>*Close contacts of persons with COVID-19 also are at elevated risk of exposure.</p> <p>*Travelers returning from affected international locations where community spread is occurring also are at elevated risk of exposure, with their level of risk depending on where they traveled.</p>	Hand Sanitizing Stations Continuing to Stress Importance of Personal Hygiene Enhanced Cleaning and Disinfection Expanded Employee Health Benefits Implementing Thermal Scanning Increased Social Distancing in Common Areas Installed Plexiglass Barriers Instituted Processes and Protocols that Follow CDC Guidance Restricting All Nonessential VisitorsHow Smithfield is Protecting You from COVID-19 (Coronavirus) Gloves, Masks and Face shields are provided to all employees at entrance	A	4	Serious	Daily Thermal Temperature Checks Social Distancing & PPE Audits

Exhibit 3



Cafeteria

Smithfield Safety, Inc. Safety is our top priority. We are committed to providing a safe work environment for all employees.	Smithfield Safety, Inc. Safety is our top priority. We are committed to providing a safe work environment for all employees.	Smithfield Safety, Inc. Safety is our top priority. We are committed to providing a safe work environment for all employees.
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Exhibit 4



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COVID-19 Protocols for Potential and Positive Exposure

Updated: April 6, 2020

In accordance with applicable guidance, Smithfield has instituted the following protocols for employees who exhibit symptoms of COVID-19, who have been exposed to COVID-19, and employees who have tested positive for COVID-19. These protocols are effective immediately and until further notice.

Symptoms of COVID-19

Persistent Dry Cough

Fever*

Difficulty breathing

* a fever is a body temperature of 100.4 degrees Fahrenheit/38 degrees Celsius or higher
More information: <https://www.cdc.gov/coronavirus/2019-ncov/about/symptoms.html>)

A. Every Smithfield facility will:

- Designate a room that can be used to isolate an individual with COVID-19 symptoms.
- Designate a trained individual (the “Designated Individual”) for each shift.
 - If the location has a nurse onsite or in the area, the nurse will be the Designated Individual. If there is no nurse, the HR leader or that person’s designee will be the Designated Individual.
 - A Designated Individual must be present at all times when the facility is occupied.

B. If an Employee shows symptoms of COVID-19:

- The Designated Individual will:
 1. Supply the Employee with a mask to cover their nose or mouth (if no mask is available, provide tissues or cloth) and place the Employee in the designated isolation room alone. (Note: corporate and sales locations will send the Employee home instead of to the isolation room.)
 2. Provide the Employee with the COVID-19 Questionnaire to complete.
 3. Call with Employee from outside the isolation room to perform the Questionnaire Assessment.
 4. After the Employee has left the isolation room, ensure that the room is cleaned and disinfected.
- Questionnaire Assessment:
 1. Review the Employee Questionnaire with the Employee.
 2. “Close Contact” is defined by the CDC as:
 - a. Being within approximately 6 feet (2 meters) of a person with COVID-19 for 10 minutes or more. Close contact can occur while caring for, living with, visiting, or sharing a healthcare waiting area with a person with COVID-19; or

- b. Direct contact with infectious secretions of a person with COVID-19 (for example, being coughed on).
- 3. When asking about travel in the last 14 days, refer to the most up to date travel restrictions from the CDC website:
<https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html>
- 4. If ANY answer to a question on the Employee Questionnaire is YES, immediately:
 - a. Send the Employee home with instructions to quarantine for 14 days and not to return to the facility for any reason during quarantine (ask the Employee if he or she is well enough to drive home or if we can help arrange for assistance or transportation).
 - b. Ask the Employee to identify any other employee with whom they may have had “close contact” in the 2 days prior to the start of symptoms. Identify the Employee’s department/area/line and include anyone within 6 feet.
 - c. Encourage the Employee to seek a medical evaluation and to immediately contact us if they test positive for COVID-19. Tell them the CDC recommends they call their physician and let them guide them to the appropriate place for testing and procedure. They should not go to an Urgent Care/Walk-in facility or Emergency Room.

C. If an Employee has been exposed to a person being tested for COVID-19:

- The Designated Individual will ask the Employee if he or she is experiencing any COVID-19 symptoms:
 - 1. If yes: follow the steps in **Section B** of this protocol.
 - 2. If no, but the person being tested lives in the Employee’s household, is an intimate partner of Employee, or is a person to whom Employee has provided care in the last 14 days: send the Employee home until the tests results are back.
- If the test results are:
 - 1. Negative: the Employee may return to work.
 - 2. Positive: refer to **Section D**.

Note that a diagnosis of a coronavirus strain OTHER than COVID-19 is not a positive COVID-19 test and does not require quarantine. Any other strain is considered the common flu.
<https://www.cdc.gov/coronavirus/general-information.html>

D. If an Employee had close contact with a person who tested positive for COVID-19:

- The Designated Individual will ask the Employee if he or she is experiencing any COVID-19 symptoms:
 - 1. If yes: follow the steps in **Section B** of this protocol.
 - 2. If no, but the person being tested lives in the Employee’s household, is an intimate partner of Employee, or is a person to whom Employee has provided care in the last 14 days:
 - a. send the Employee home with instructions to quarantine for 14 days and not to return to the facility for any reason during quarantine.

- b. If the employee remains asymptomatic, no further action is required, and the Employee can return to work at the end of the 14-day period. If the Employee develops symptoms, refer to **Section B**.

E. If an Employee tests positive for COVID-19:

- **If the Employee is at home:** Place the Employee on 14-day quarantine and tell the Employee not to return to the facility for any reason during quarantine. Gather the information for the Employee Questionnaire via phone.
- **If the Employee is at work:** Isolate the Employee and immediately arrange for him or her to go home. Provide the Employee with the Employee Questionnaire and gather the information needed via phone after the Employee has left the facility. Ensure that the isolation room is cleaned and disinfected.
- **In both instances:** Ask the Employee to identify any other employee with whom they may have had “close contact” in the 2 days prior to the start of symptoms. Identify the Employee’s department/area/line and include anyone within 6 feet.
- **If the Employee has been out of the facility for more than 7 days:**
 1. Speak to each person on the “close contact” list and go through the Employee Questionnaire.
 2. If any person on the “close contact” list is experiencing any COVID-19 symptoms, follow the steps in **Section B** of this protocol.
 3. Persons on the “close contact” who are not experiencing symptoms can continue to work but must self-monitor for COVID-19 symptoms. If they experience symptoms they should not report to work and must contact HR immediately.
- **If the Employee has been in the facility in the last 7 days:**
 1. All employees on the “close contact” list should be sent home with instructions to quarantine for 14 days and not to return to the facility for any reason during the quarantine.
 2. If the employee on the “close contact” list remains asymptomatic, no further action is required and he or she can return to work at the end of the 14-day period.
 3. If the employee on the “close contact” list develops symptoms, refer to **Section B** and stay quarantined until all requirements for returning after quarantine are satisfied.

F. Returning to work after quarantine:

- If the Employee has symptoms of COVID-19, the Employee can return to work if ALL of the following are satisfied:
 1. 14-day quarantine is over;
 2. No continuing symptoms of COVID-19;
 3. No fever for at least 72 hours from the last use of fever-reducing medication; **AND**
 4. At least 7 days have passed since symptoms first appeared.

- If the Employee was quarantined for symptoms of COVID-19, but was diagnosed with another condition and has a release to return to work OR they were tested for COVID-19 and the results were negative, the Employee can return to work in FEWER than 14 days if all of the following are satisfied:
 1. No continuing symptoms of COVID-19;
 2. No fever for at least 72 hours from the last use of fever-reducing medication; **AND**
 3. At least 7 days have passed since symptoms first appeared.
- If the Employee is diagnosed with COVID-19, the Employee can return to work if ALL of the following are satisfied:
 1. 14-day quarantine is over;
 2. No continuing symptoms of COVID-19;
 3. No fever for at least 72 hours from the last use of fever-reducing medication;
 4. At least 7 days have passed since symptoms first appeared; **AND**
 5. A medical professional has provided a return to work note.

Definitions Used in this Guidance

Self-monitoring means people should monitor themselves for fever by taking their temperatures twice a day and remain alert for dry cough or difficulty breathing. If they feel feverish or develop measured fever, dry cough or difficulty breathing during the self-monitoring period, they should self-isolate, limit contact with others, and seek advice by telephone from a healthcare provider or their local health department to determine whether medical evaluation is needed.

Isolation means the separation of a person or group of people known or reasonably believed to be *infected with a communicable disease and potentially infectious* from those who are not infected to prevent spread of the communicable disease. Isolation for public health purposes may be voluntary or compelled by federal, state or local public health order.

Close contact is defined as:

- a) being within approximately 6 feet (2 meters) of a COVID-19 case for a prolonged period of time; close contact can occur while caring for, living with, visiting or sharing a healthcare waiting area or room with a COVID-19 case
– *or* –
- b) having direct contact with infectious secretions of a COVID-19 case (e.g., being coughed on)

Prolonged Period in general means a lengthy or extended period of time. In a work situation is means that you may have worked next to them, took your breaks with them, ate lunch with them, shared a ride to work or home with them, had a face-to-face conversation with them for 10 minutes or more, or have had physical contact with them.

Quarantine in general means the separation of a person or group of people reasonably believed to have been *exposed to a communicable disease*, from others who have not been so exposed, to prevent the possible spread of the communicable disease.



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COVID-19 Employee Questionnaire

Updated: April 6, 2020

In response to government precautions concerning COVID-19, we have instituted additional screening to assess the risk of potential COVID-19 spread in our workplace. Please take a moment to complete the following questionnaire.

- Have you or someone living in your household recently returned from international travel within the past 14 days? **Yes** **No**

If yes, which region(s)? _____

When did you return to the United States? _____

Note: Reference the [CDC website](#) for an up to date list of these regions.

- Are you currently experiencing any of the following symptoms?

Persistent dry cough? **Yes** **No**

Fever over 100 degrees Fahrenheit? **Yes** **No**

Difficulty breathing or shortness of breath? **Yes** **No**

- Do you live with someone in the same household, have a spouse/intimate partner or have you been providing care to someone currently being tested for COVID-19 or that has been diagnosed with COVID-19? **Yes** **No**

- Have you been in “close contact”, within 6 feet for a prolonged period* of time, of a person who has been formally diagnosed with COVID-19 in the last 14 days? **Yes** **No**

If you answered “Yes” to any of the above questions, please provide a list of all employees with whom you have been in **close contact** for a **prolonged period** in the 2 days prior to the start of symptoms. **Close contact** means being within approximately six feet of a coworker for a prolonged period of time. **Prolonged period** means greater than 10 minutes of face-to-face contact.

By signing below, you acknowledge that you have answered all questions completely and honestly to the best of your knowledge.

Employee ID#

Employee Phone Number

Emergency Contact

Emergency Contact Phone Number

Employee Name Printed

Employee Signature

Date

Exhibit 5



Exhibit 6







Exhibit 7



Exhibit 8



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COVID-19 Visitor Restriction Policy

Updated: March 5, 2020

In response to government precautions concerning COVID-19, we have instituted the following Visitor Restriction Policy, effective immediately and until further notice:

COVID-19 Visitor Restriction Policy

Visitors will be restricted from entering our facilities and farms if they have returned from “Level 3, Avoid Nonessential Travel” or “Level 2, Practice Enhanced Precautions” regions as determined by the United States Centers for Disease Control and Prevention (CDC) within the past 14 days.

Currently, these regions include the following:

- China (Level 3 Travel Health Notice)
- Iran (Level 3 Travel Health Notice)
- South Korea (Level 3 Travel Health Notice)
- Italy (Level 3 Travel Health Notice)
- Japan (Level 2 Travel Health Notice)

(Reference: <https://www.cdc.gov/coronavirus/2019-ncov/travelers/index.html>)

In accordance with this Policy, please complete the below questionnaire.

- Have you returned from “Level 3, Avoid Nonessential Travel” or “Level 2, Practice Enhanced Precautions” regions as determined by the CDC within the past 14 days?

Yes **No**

- Have you been designated by public health authorities as someone at risk of COVID-19 (coronavirus) due to potential exposure? **Yes** **No**

- Are you experiencing flu like symptoms such as cough, fever, difficulty breathing or shortness of breath? **Yes** **No**

By signing below, you acknowledge that you have completely read and fully understand the Smithfield Foods COVID-19 Visitor Restriction Policy and have answered “No” to all of the above questions.

Visitor Signature

Visitor Printed Name

Date